



Erosion and Sediment Control (ESC) Permit Application

Please allow five (5) business days for the ESC Permit application review process.

Submit the ESC permit application to: <div style="text-align: center;"> One Stop Customer Service Center 500 S 4th Ave, Brighton CO 80601 303-655-2017 </div>	Erosion and Sediment Control is required for all land disturbance activities equal to or greater than one (1) acre, OR for land disturbance activities less than one (1) acre that are part of a larger common development that shall disturb more than one (1) acre.
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Site Area/Application Fees:

<1 acre = \$50.50	5 acres to <10 acres = \$100.50	20 acres and above = \$250.50
1 acre to <5 acres = \$60.50	10 acres to <20 = \$150.50	

Project Information:

Building	Site Improvement	Right-of-Way	Other (defined in project description below)
Project/subdivision name:			
Address/location:			
Filing/block/lot: <small>(attach separate list if necessary)</small>			
Site area: <small>(total acres that will be disturbed)</small>		Estimated start date:	Estimated completion date:
Project description:			
Site drains to:			
Colorado State Stormwater Permit # "COR-03-":		<input type="checkbox"/> Certification pending <small>(attach copy of state application)</small> <input type="checkbox"/> Signed agreement with permit holder <small>(attach copy with application)</small>	
Estimated cost of Best Management Practices (BMP): <small>(cost incurred to manage erosion/stormwater and site stabilization)</small>		\$	
<small>Note: A financial guarantee is required for the ESC permit to be issued. If bonding for the ESC is included in the overall development bond for the project, an itemized list and estimated cost of erosion control BMPs must be listed with that agreement's schedule of improvements; otherwise a separate ESC Bond will be required. For BMPs cost estimate spreadsheet, see page 5 below.</small>			

Contact Information:

Construction company: <small>(responsible for compliance to SWMP)</small>			
Lead contractor name:		Lead contractor title:	
Company address:			
Company phone:		Contact mobile:	
Contact e-mail:			
Land ownership:		Company name:	
		Land owner name:	
Address:			
Phone:		Mobile:	
E-Mail:			
Primary site contact: <small>(responsible party on site)</small>		Name:	
		Title:	
		Mobile:	

Submittal Requirements

The following information shall be submitted with any ESC permit application. In most instances, an ESC permit is required prior to any site mobilization.

ESC permit submittals shall include:

- ☐ ESC Permit Application - signed – one copy;
- ☐ State Stormwater Permit – one copy*; or
 - State Stormwater Permit Application – one copy;
- ☐ Financial Guarantee – original, wet-stamped and sealed copy**;
- ☐ Stormwater Management Plan (SWMP)*** – one copy;
- ☐ Erosion control civil plan** - one copy;

NOTE: If your Company will be covered under the Developer's State Stormwater permit, then a written and signed agreement between both companies needs to be submitted in addition to the Developer's ESCP/SWMP. The agreement must address ESC permit requirements and responsibilities.

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* The State of Colorado requires that all applicable land disturbing projects apply for a Stormwater Permit at least ten (10) days prior to commencement of work. For additional information, please visit www.cdphe.state.co.us.

**For minimum bonding requirements and conditions for reduction/release of bonding, please contact Pennie Snow – 303-655-2023 or psnow@brightonco.gov or visit www.brightonco.gov.

***The ESCP/SWMP must meet the requirements prescribed by the Colorado Department of Public Health and Environment. For additional guidance, please visit www.cdphe.state.co.us or www.brightonco.gov.

* * *

Acknowledgement Certificate:

By my signature affixed hereto, I acknowledge that I have received a copy of the City of Brighton Stormwater Quality Enforcement Policy (attached hereto). I have read and fully understand my responsibility as it pertains to this policy and agree to abide by the guidelines set forth therein, including the right of entry provisions, which allow Brighton Inspectors the right to enter the subject property, where reasonable cause exists, to ascertain whether a violation of the requirements of Chapter 14-2 of Brighton's Municipal Code exists. I further agree to hold the City of Brighton, its agents, employees, and assigns exempt from any legal action or liability on account thereof. I understand that these policies are continually evaluated and may be amended from time to time without notice and at the sole discretion of the City of Brighton. In addition, I certify under the penalty of perjury that all information contained in this application is true and accurate to the best of my knowledge.

Signature of Applicant

Printed Name

Title of Applicant

Date of Application

For more information please contact Utilities Department, Stormwater Division at (303) 655-2136, or visit www.brightonco.gov and navigate to the Utilities Department - Construction Site Stormwater Management page.

ESC Cost Opinion Spreadsheet

Item #	BMP	ID	Unit	Installation Unit Cost	Maintenance as % of Install	Install and Maintenance Unit Cost	Quantity	Cost
1	Check dam	CD	lin ft		25%			
2	Check dam (reinforced)	CDR	lin ft		25%			
3	Concrete washout area	CWA	each		200%			
4	Construction fence	CF	lin ft		25%			
5	Construction markers	CM	lin ft		50%			
6	Culvert inlet filter	CIF	lin ft		25%			
7	Dewatering	DW	each		50%			
8	Diversion ditch (unlined)	DD	lin ft		25%			
9	Diversion ditch (ECM or plastic)	DD	lin ft		10%			
10	Sediment/erosion control matting	ECM	sq yd		25%			
11	Inlet protection	IP	lin ft		50%			
12	Reinforced rock berm	RRB	lin ft		25%			
13	Sediment basin ¹	SB	lin ft		25%			
14	Sediment control leg (wattle)	SCL	lin ft		25%			
15	Seeding and mulching	SM	acre		50%			
16	Silt fence	SF	lin ft		75%			
17	Slope drain	SD	lin ft		10%			
18	Stabilized staging area	SSA	sq yd		50%			
19	Surface roughening	SR	acre		25%			
20	Temporary stream crossing	TSC	each		25%			
21	Topsoil (6-inch lift)	TSL	acre		25%			
22	Vehicle tracking control ²	VTC	each		100%			

Contractor added BMP(s)³

23								
24								
25								
26								
27								
28								

Notes:
¹Quantity for sediment basin in bottom width in linear feet

²vehicle tracking control cost shall include surety for curb, gutter, and sidewalk repair

³negotiate % on a case by case basis between the city and contractor/owner with a minimum of 25%

Subtotal	
Contingency @ 15%	
Total Estimated Cost	

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Stormwater Quality Enforcement Policy

Inspections

Stormwater inspections are to be performed by the contractor of record, at a minimum, once every fourteen (14) calendar days on active construction sites, after a significant storm event that may cause erosion, and on a monthly basis on completed sites to monitor re-vegetation. It is the contractor's responsibility to perform more frequent inspections when needed to effectively address maintenance and repair of Best Management Practices (BMPs). As part of the site's stormwater inspections, the contractor is required to fill out an Erosion and Sediment Control Inspection List (ESCIL) or equivalent. The ESCILs must be maintained on site and made available to city inspectors upon request. A template of this form is available on the [city's website](#), or upon request at the One-Stop Customer Service Center.

In addition, to enable effective communication and quick response to any stormwater quality control deficiencies, the city encourages the contractor to join and participate during city inspections. City inspections are either announced or unannounced. In general, inspections are performed on a monthly basis but could be triggered more often due to complaints, spills, or certain upcoming weather conditions.

Compliance

Maintenance, repair, or installation of any stormwater pollution prevention BMPs that are noted during the contractor's inspection and/or the city inspection must be completed immediately.

The following outlines typical non-compliance issues and possible enforcement actions. For more detailed information, please refer to the City of Brighton Municipal Code, Chapter 14.2.

Non-compliance issues shall include, but shall not be limited to:

- ☐ Failure to obtain a City of Brighton Erosion and Sediment Control (ESC) permit for projects greater than or equal to one (1) acre, or for sites disturbing less than one (1) acre that belong to a common larger plan of development that shall disturb more than one (1) acre;
- ☐ Failure to obtain a State Stormwater Discharge Permit (SDP) from the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division for projects greater than or equal to one (1) acre, or for sites disturbing less than one (1) acre that belong to a common larger plan of development that shall disturb more than one (1) acre;
- ☐ Failure to abide by the conditions of the city's ESC permit;
- ☐ Failure to properly install, maintain, and/or replace critical or non-critical BMPs immediately;
- ☐ Failure to remove temporary BMPs once such item is noted during an inspection;
- ☐ Failure to implement the Erosion and Sediment Control Plan (ESCP), also referred to as Storm Water Management Plan (SWMP);
- ☐ Failure to modify the ESCP/SWMP to reflect field changes;
- ☐ Direct discharge of any pollutant(s) into a waterway, jurisdictional wetland, or a storm sewer system; and/or,
- ☐ Work beyond limit(s) of the permit area.

Enforcement Actions

If site conditions are found to be in violation of the ESC permit or any other requirements set forth in Chapter 14-2 of the City of Brighton Municipal Code during an inspection by the city inspector, one or all of the following actions may be taken:

- Verbal warning;
- Written compliance order;
- Suspension or revocation of permit(s);
- Denial of further review or future inspections and/or permits;
- Stop work order; and/or,
- Hiring a private contractor and/or city crew to perform work – cost of work will be deducted from the performance security collected at ESC permit issuance for developers, or collected by a lien on the property for builders.

Priority Violations

Priority violations may include: working without a permit; failure to install and/or maintain critical BMPs; working beyond limits of the permitted area; discharge of contaminated water into storm sewer system; discharge of contaminated water into a water way; washing roadway debris into a storm inlet; washing concrete trucks in unapproved locations; and/or, failure to correct routine violations.

Priority violations will result in the immediate issuance of a stop work order. Failure to meet the compliance deadline to repair or install critical BMPs may result in a suspension or revocation of the permit(s), and may result in city action to activate the financial guarantee on file to hire a private contractor and/or city crew to perform the work.

Routine Violations

Routine violations may include: failure to abide by the conditions of the ESC permit; failure to properly install, maintain, and/or replace non-critical BMPs; and/or, failure to remove and properly dispose of BMPs when they are no longer needed.

Routine violations may result in a written compliance order detailing non-compliant items and a compliance date. Failure to meet the compliance deadline to repair or install non-critical BMPs may result in suspension or revocation of permit/s, stop work orders, and may result in city action to activate the financial guarantee on file to hire a private contractor and/or city crew to perform the work.

Right of Entry

The city inspector may, where reasonable cause exists, with or without a warrant issued by a court of competent jurisdiction, enter upon any property for examination of the same to ascertain whether a violation of the requirements set forth in Chapter 14-2 of the City of Brighton Municipal Code exists. The City of Brighton and any designee shall be exempt from any legal action or liability on account thereof.

In addition to the above mentioned penalties, the penalties set forth in Section 14-2-110 of the City of Brighton Municipal Code shall apply.